

Serial No. 10/573,883
Art Unit 2891
Confirmation No. 9927

REMARKS

As a preliminary matter, the applicant objects to this Office Action being made a Final Action. The only significant amendment to the claims made in the previous response was to replace claim 26 with claim 35. This was done in order to address language issues the examiner had with respect to describing polymers. The applicant believes the way of describing polymers as a reaction product of a compound in previous claim 26 is acceptable and that any chemist producing polymers would know what is meant by this expression. The claim was only replaced in order to expedite prosecution, and no new limitations were added.

The examiner has rejected claims 29, 32, and 35 under 35 U.S.C. §102(b) on the grounds that the claims were anticipated by Jin (European Polymer Journal, Vol. 37, page 921):

Jin discusses a polymer bearing a carbazole moiety in its backbone. However the carbazole moieties in Jin are substituted in their 3 and 6 positions. This is different from polymers in which the carbazole moieties are substituted in their 2 and 7 positions. The synthesis of 2,7-carbazole polymers is completely different from that of 3,6-carbazole polymers; as are the electrical and optical properties.

Claim 35 is directed to an organic based device including polymers defined by a specific recited chemical structure. This is a limitation not taught by Jin. The examiner has cited Scheme 1 on page 923 of Jin as teaching the polymer of monomers recited in formula (II) of claim 1. However none of the chemical structures shown in Scheme 1 of Jin are the same as that shown in claim 1. The monomer of formula (II) of claim 1 shows an alkene group at the 7 position of the carbazole compound. In contrast, the second formula of Scheme 1 of Jin shows an alkene group at the 3 position of the carbazole compound. The polymer taught by Jin is therefore based on 3,6-carbazolenevinylene, whereas the polymer recited in present claim 1 is based on 2,7-carbazolenevinylene. This is not a negligible difference, as explained above.

Claims 29 and 32 are dependent on claim 35 and include the limitations discussed above. The applicant respectfully submits that it has not been shown where Jin teaches

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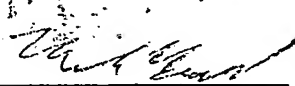
each and every element of claims 29, 32, and 35, and that these claims are therefore not anticipated by Jin.

The Examiner has rejected claim 30 under 35 U.S.C. §103(a) on the grounds that the claims are obvious over Jin in view of an article by Dutta. Claim 30 is dependent on claim 35 and includes the limitations discussed above. The applicant respectfully submits that it has not been shown where Jin or Dutta, either alone or in combination, teach each and every element of claim 30 and that the claim is not obvious in view of Jin and Dutta.

The Examiner has rejected claim 31 under 35 U.S.C. §103(a) on the grounds that the claims are obvious over Jin in view of U.S. Patent Application 2003/0085397 (Geens). (The applicant assumes the rejection is with respect to claim 31 rather than to claim 30, given the content of the rejection.) Claim 31 is dependent on claim 35 and includes the limitations discussed above. The applicant respectfully submits that it has not been shown where Jin or Geens, either alone or in combination, teach each and every element of claim 31 and that the claim is not obvious in view of Jin and Geens.

In view of the foregoing, it is believed that the claims are in condition for allowance. Reconsideration and action to this end is respectfully requested.

Respectfully submitted,


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